

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 24, 1946
11:00 A.M.

Council Chamber, City Hall

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The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry
and Wolf - 4

Absent : Councilman Glass - 1

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

Pursuant to published notice thereof, the public hearing on the application of HENRY BROOKS to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following described property so as to change the same from "A" Residence District and First Height and Area District to "C" Commercial District and First Height and Area District, to wit:

A certain portion of a .956-acre tract of land out of the Isaac Decker League, Travis County, Texas, such .956-acre tract being located at the southwest corner of Barton Springs Road and Fredericksburg Road, and being more particularly described by metes and bounds in the application on file with the City Clerk of the City of Austin, Texas, and that portion to be rezoned fronting on Fredericksburg Road,

was duly opened.

No property owner, or other interested person, appeared to protest the proposed change.

Thereupon Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1941, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON A CERTAIN PORTION OF A .956-ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, TRAVIS COUNTY, TEXAS; AND ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bartholomew moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The ordinance was then read the second time and Councilman Bartholomew moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The ordinance was then read the third time and Councilman Bartholomew moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

Thereupon the Mayor announced that the ordinance had been finally passed.

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the land hereinafter described was sold to the City of Austin for taxes by Sheriff's deed dated the 8th day of November, 1929; and

WHEREAS, Mrs. Flossie Ringstaff has succeeded to the rights of Mrs. T. J. Johnson, who was the owner of such property at the time of such Sheriff's deed to the City; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Guiton Morgan, City Manager, be, and he is hereby, authorized and directed, upon the payment by Mrs. Flossie Ringstaff of all taxes, penalty and interest owing on such property, to execute to the said Mrs. Flossie Ringstaff, as her separate property and estate, a quitclaim deed quitclaiming the following described property:

Lots 3, 4, and 5, in Block "A", Outlots 54-55-71, Division "0", Voss Addition in the City of Austin, Travis County, Texas.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

- Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
- Noes : None
- Absent: Councilman Glass

Pursuant to published notice thereof, the public hearing on a proposed ordinance regulating the construction, alteration, and operation of Drive-In Theaters in the City of Austin was duly opened.

C. F. Herring, Attorney for Eddie Joseph, owner of Joseph Drive-In Theater, appeared and requested that that section of the proposed ordinance relating to sounds be amended to extend the time for playing of music to 12:30 A. M., in order to permit the operators of moving picture theaters to show their last picture. It was the sense of the Council that this request be included in an amendment to the Sound Ordinance, limiting the time to 11:30 P.M. for the months of October to May, inclusive, and to 12:30 A. M. for the months of June to September, inclusive; and the City Attorney was instructed to prepare such amendment accordingly.

No other citizen desiring to be heard on the matter, the hearing was closed; and the Mayor thereupon called up for its first reading the following ordinance, which was introduced at the regular meeting on October 10 and laid over for a public hearing:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF CIRCUSES, WILD WEST SHOWS, THEATRICAL AND DRAMATIC PERFORMANCES, MEDICINE SHOWS, VAUDEVILLE SHOWS, MINISTREL SHOWS, MOVING PICTURE SHOWS, SKATING RINKS, CARNIVALS, MERRY-GO-ROUNDS, FERRIS WHEELS, WHIPS, SKY RIDES, HOBBY HORSES, FLYING JENNIES, BAT-A-BALLS, TILT-A-WHIRLS, PONY RIDES, KIDDY TRAINS, OR OTHER RIDING OR SKILL DEVICES OF SUCH CHARACTER, WITH OR WITHOUT NAME, AND AMUSEMENT PARKS, CONDUCTED UNDER A TENT, AWNING, CANOPY, ENCLOSURE, OR WITHIN A TEMPORARY STRUCTURE, OR OUTSIDE OF A BUILDING, OR IN THE OPEN AIR, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; DEFINING CERTAIN WORDS AND PHRASES; PRESCRIBING SPECIAL REGULATIONS FOR AMUSEMENT PARKS; PRESCRIBING PERMITS FOR EVERY SUCH EXHIBITION OR OPERATION AND PRESCRIBING PERMIT FEES FOR AMUSEMENT PARKS; PROVIDING FOR THE REVOCATION OR SUSPENSION OF LICENSES OR PERMITS; PRESCRIBING PENALTIES; REPEALING THAT CERTAIN

ORDINANCE PASSED BY THE CITY COUNCIL SEPTEMBER 20, 1934, AND RECORDED IN BOOK "J", PAGES 619-620, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, BUT MAKING THIS ORDINANCE CUMULATIVE OF OTHER ORDINANCES WHERE NOT IN CONFLICT OR INCONSISTENT THEREWITH; PROVIDING A SAVING CLAUSE; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL APRIL 23, 1942, AND IS RECORDED IN BOOK "L", PAGES 244-247, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY DEFINING DRIVE-IN THEATERS AND PROVIDING REGULATIONS FOR THE CONSTRUCTION AND OPERATION OF DRIVE-IN THEATERS IN THE CITY OF AUSTIN; PROVIDING A SAVING CLAUSE; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The ordinance was then read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The ordinance was then read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

Thereupon the Mayor announced that the ordinance had been finally passed.

The Mayor called up for its third reading, the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TWO HUNDRED THIRTY-SEVEN AND SEVEN ONE-HUNDREDTHS (237.07) ACRES OF LAND, BEING OUT OF THE D.J. GILBERT SURVEY NO. 8, THE C. J. STROTHER SURVEY NO. 611, THE ALBERT SILLSBEE SURVEY NO. 1, AND THE DAVIS SURVEY, ALL IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion prevailed by the following

vote:

Ayes: Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
Noes: None
Absent: Councilman Glass

Thereupon the Mayor announced that the ordinance had been finally passed.

The Mayor called up for its third reading, the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TWENTY-SEVEN AND THIRTY-FIVE ONE-HUNDREDTHS (27.35) ACRES OF LAND, BEING OUT OF THE GEORGE W. SPEAR LEAGUE IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
Noes : None
Absent: Councilman Glass

Mr. Horace Shelton appeared before the Council on behalf of the amended application of Britt P. Kinsey, owner of the Post Office Cafe, 503 Lavaca Street, for a wine and beer license. After considering the facts in the case, as presented by Mr. Shelton, namely, that Britt P. Kinsey was now the sole owner of the Post Office Cafe, having dissolved partnership with W. L. Turner, and the endorsement of the said Britt P. Kinsey by Mr. Shelton, it was moved by Councilman Wolf that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
Noes : None
Absent: Councilman Glass

Councilman Wolf introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF FORTY-TWO AND SIXTY-FIVE ONE-HUNDREDTHS (42.65) ACRES OF LAND, BEING OUT OF THE THOMAS HAWKINS SURVEY NO.9, ABSTRACT 346, TRAVIS COUNTY, TEXAS, AND BEING A PART OF THE 97.50 ACRE TRACT CONVEYED TO EMMETT R. SCHIEFFTER AND JEANETTE SCHIEFFTER BY MRS. AUGUSTA SCHIEFFTER, RECORDED IN VOLUME 393, PAGE 114, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Wolf moved that the ordinance be passed to its second reading and laid over for publication. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
 Noes : None
 Absent: Councilman Glass

The ordinance was then laid over for publication, in accordance with the provisions of the City Charter.

Mr. W. D. Yancey came before the Council regarding a complaint against the overflow of storm water onto his premises at 3300 Meredith Street, heretofore submitted by him. The matter was referred back to him to submit an estimate of the cost of the work to be done.

Mr. W. D. Yancey also submitted a request that the area around his property at 3300 Meredith Street be included in the paving projects to be started soon. The matter was referred back to him to have the abutting property owners sign up for their pro rata of the cost of paving before anything could be done in the matter.

Kenneth R. Lamkin, Attorney, submitted an application of Everett H. Givens and other property owners for a change in zoning, from "C-1" Commercial District to "C-2" Commercial District, of the property in the 1800 block of East 12th Street. Councilman Wolf moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
 Noes : None
 Absent: Councilman Glass

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That there be appropriated out of the General Fund, not otherwise appropriated, the sum of Eight Hundred Seventy-five Dollars (\$875.00) for the purchase of all right, title and interest in and to Lot 1, Block 1, Fellman Heights Addition, together with all improvements, located at 2704 East Avenue; the General Fund to be reimbursed in the sum of Eight Hundred Seventy-five Dollars (\$875.00) as soon as monies are available in the Highway Rights-of-Way Bond Fund as authorized under Proposition No. 6 adopted by the electorate at an election held May 7, 1946.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
 Noes : None
 Absent: Councilman Glass

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in TONKAWA TRAIL from West 39 $\frac{1}{2}$ Street southerly 428 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Tonkawa Trail.

Said gas main described above shall have a covering of not less than 2 $\frac{1}{2}$ feet.

- (2) A gas main in FOREST AVENUE from a point 66 feet north of Oltorf Street southerly 385 feet, the centerline of which gas main shall be 16.5 feet east of, and parallel to, the centerline of said Forest Avenue.

Said gas main described above shall have a covering of not less than 2 $\frac{1}{2}$ feet.

- (3) A gas main in ENFIELD ROAD from a point 10 feet west of Pecos Street westerly 336 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Enfield Road.

Said gas main described above shall have a covering of not less than 2 $\frac{1}{2}$ feet.

- (4) A gas main in WEST 5TH STREET from a point 19 feet west of Lamar Boulevard westerly to a point 10 feet west of Oakland Avenue, the centerline of which gas main shall be 13.5 feet south of, and parallel to, the north property line of said West 5th Street.

Said gas main described above shall have a covering of not less than 2 $\frac{1}{2}$ feet.

- (5) A gas main in WILSHIRE BOULEVARD from a point 113 feet south of Crestwood Road southerly 80 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Wilshire Boulevard.

Said gas main described above shall have a covering of not less than 2 $\frac{1}{2}$ feet.

- (6) A gas main in PEOPLES STREET from a point 38 feet west of Poquito Street east to Poquito Street, the centerline of which gas main shall be 6.5 feet south of, and parallel to, the north property line of said Peoples Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (7) A gas main in POQUITO STREET from a point 38 feet north of Peoples Street southerly 126 feet, the centerline of which gas main shall be 6.5 feet west of, and parallel to, the east property line of said Poquito Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (8) A gas main in EAST 7TH STREET from a point 274 feet west of Chicon Street easterly 95 feet, the centerline of which gas main shall be 11.5 feet north of, and parallel to, the south property line of said East 7th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (9) A gas main in EVANS AVENUE from a point 66 feet north of East 52nd Street northerly 198 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Evans Avenue.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (10) A gas main in EAST $48\frac{1}{2}$ STREET from a point 112 feet east of Airport Boulevard westerly 40 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said East $48\frac{1}{2}$ Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (11) A gas main in EAST 22ND STREET from a point 12 feet east of Alamo Street easterly 64 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said East 22nd Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (12) A gas main in DE VERNE STREET from Paramount Avenue easterly 102 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said De Verne Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (13) A gas main in WEST 38TH STREET from King Street westerly 330 feet, the centerline of which gas main shall be 22 feet south of, and parallel to, the north property line of said West 38th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (14) A gas main in McCANDLESS STREET from North Loop Boulevard northerly 576 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said McCandless Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (15) A gas main in DANIEL DRIVE from a point 253 feet west of Bouldin Avenue westerly 333 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Daniel Drive.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (16) A gas main in HUISACHE STREET from a point 132 feet north of Genard Street southerly 378 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Huisache Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (17) A gas main in WATSON STREET from Stobaugh Street northerly 410 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Watson Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (18) A gas main in WEST 38TH STREET from a point 182 feet west of Oakmont Boulevard westerly 48 feet, the centerline of which gas main shall be 13.5 feet south of, and parallel to, the north property line of said West 38th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (19) A gas main in BONNIE ROAD from a point 109 feet west of Raleigh Avenue westerly 366 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Bonnie Road.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (20) A gas main in SHOAL CREEK BOULEVARD from a point 258 feet south of West 24th Street northerly 48 feet, the center

line of which gas main shall be 1 foot west of, and parallel to the east property line of said Shoal Creek Boulevard.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (21) An 8'x10' gas regulator pit in LAKE AUSTIN BOULEVARD, the long axis of said regulator pit to be 8 feet south of the north property line of Lake Austin Boulevard, and the short axis of said regulator pit to be 240 feet east of the entrance to the Municipal Golf Course.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of Cecil J. Shafer for a change in zoning, from "A" Residence District to "C" Commercial District, of the property at 5106 Duval Street was received. Councilman Wolf moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

Councilman Thornberry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Henry Hoes has presented to the City Council of the City of Austin a request for permission to construct, maintain, and operate a 1-1/4" gas service line across South 2nd Street at a location approximately 153 feet south of the south line of Fletcher Street within the City of Austin, Travis County, Texas; and

WHEREAS, the Texas Public Service Company has been unable to construct a gas line in South 2nd Street due to a shortage of pipe; and

WHEREAS, the only practical method of serving this property which is located on the west side of said street is to extend the service line across said street to an existing private line; and

WHEREAS, the Director of Public Works has recommended that said installation be approved and the City Council of the City of Austin has reviewed and considered said recommendation; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Henry Hoes be, and he is hereby, permitted to install a 1-1/4" gas service line across South 2nd Street at a location approximately 153 feet south of the south line of Fletcher Street within the City of Austin, Travis County, Texas.

The construction, maintenance, and operation of the aforesaid gas service line shall be carried out at the expense of the applicant and under the direction and supervision of the Director of Public Works of the City of Austin, or his duly authorized representative, and in the acceptance of this permit, the said Henry Hoes assumes all damages which may occur to public or private property by virtue of this gas service line's being placed across South 2nd Street at the location above described.

It is further understood that the construction of the aforesaid gas service line shall be done by a bonded plumber, and also that the property owner shall remove the aforesaid line from across South 2nd Street at his own expense when requested to do so by the City of Austin.

It is also further understood that any damages whatsoever caused to existing utilities during the course of construction, maintenance, or operation of said gas service line shall be paid for by the applicant above named.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be, and he is hereby, authorized and directed to execute for and on behalf of the City of Austin a contract with W.M.Graham for the construction of water mains and sewer mains in Ridgelea Subdivision in the City of Austin, Texas, all in accordance with the terms and provisions of a contract, a copy of which is attached hereto and made a part hereof for all purposes.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry
and Wolf

Noes : None

Councilman Thornberry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be, and the same is hereby, permitted to construct its underground telephone conduits in the following streets:

- (1) An underground conduit across South Congress Avenue, from a manhole 15' east of the centerline of said South Congress Avenue and 72 feet north of the centerline of East James Street southeasterly to East James Street.
- (2) An underground conduit across East James Street at a point approximately 20 feet east of the east property line of South Congress Avenue.
- (3) An underground conduit in The Circle, from East James Street southerly approximately 31 feet, the centerline of which underground conduit shall be 2.5 feet east of, and parallel to, the west property line.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the State Highway Commission of the State of Texas on October 15, 1946, adopted the following resolution in connection with the U. S. Interstate Highway #81:

" WHEREAS, in Travis County, extended studies have been made relative to the proper routing of U. S. Interstate Highway No. 81 into and out of the City of Austin, and such routing has been established based upon such studies, passing through the City of Austin generally on what is known as East Avenue and the extension thereof; and

WHEREAS, it is found to be essential that the right-of-way on this established route be secured as early as possible and construction started, especially on that section beginning at Nineteenth Street in the City of Austin and extending north to the intersection with the new route of State Highway No. 20; and

WHEREAS, the proper officials of the City of Austin and the County of Travis have expressed their willingness to cooperate in development of this trafficway by the securing of right-of-way in order to provide immediate relief for traffic congestion on the existing street system;

NOW, THEREFORE, BE IT ORDERED that the exact route and location of U. S. Interstate Highway No. 81 be established from a point north of Austin at or near the Williamson County Line, extending into and out of the City of Austin along what is commonly known as the East Avenue route, to a connection with the existing U. S. Highway No. 81 south of Austin, and thence to the Hays County Line; and that right-of-way deeds be prepared and turned over to the City of Austin and the County of Travis, said right-of-way to be not less than 200 feet in width in the built-up urban area and not less than 300 feet in width in the rural area, with the request that such right-of-way be secured as early as feasible. At such time as the provisions of this Minute shall have been accepted by the City of Austin and County of Travis, the State Highway Engineer is directed to proceed with the development of plans and arrangement for finance of that section of the route herein described, extending from Nineteenth Street within the City of Austin to an intersection with the new location of State Highway No. 20 north of the Austin Municipal Airport, in order that such project may be placed under construction at such time as right-of-way has been secured.

IT IS FURTHER ORDERED that engineering studies be projected on the remainder of the route herein described, but with the distinct

understanding of all agencies involved that construction on the remaining portions of the route cannot be undertaken by the Department until additional funds become available. It should be further understood that when the facilities are constructed they will be of the Controlled-access type designed for the traffic requirements according to regulations for participation of Federal Funds. "

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That in accordance with the stipulations set out in the resolution adopted by the State Highway Commission on October 15, 1946, the City of Austin hereby accepts the provisions of said resolution and the Minutes of the Highway Commission in order that such project may be placed under construction at such time as right-of-way has been secured.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

- Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
- Noes : None
- Absent: Councilman Glass

The application of MELVIN M. STEVENSON, 300 Congress Avenue, for a license to operate as a taxicab a Chevrolet Sedan, 1942 Model, Certificate of Title #1312793, Motor No. BA-398018, State License No. FV-9071, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

- Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
- Noes : None
- Absent: Councilman Glass

The application of JEROME ROBINSON, 217 West 8th Street, for a license to operate as a taxicab a 4-door Chevrolet, 1941 Model, Engine No. AA-1014206, State License No. MD-523, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

- Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
- Noes : None
- Absent: Councilman Glass

The application of V. R. MOORE, Route 5, Box 37, Clawson Road, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1941 Model, Motor No. AA-984008, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

- Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf
- Noes : None
- Absent: Councilman Glass

The application of TROY HICKSON, Riverside Tourist Courts, for a license to operate as a taxicab a Chevrolet Sedan, 1941 Model, Motor No. AA-9042157.

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 State License No. FV-8549, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of PETE MARTINEZ VELASQUEZ, 704 East 11th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of LEWIS LEROY ZINK, 1206 Taylor Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of JOHNNIE OLAN YOUNG, 1602 Newning Avenue, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of JOHNNY M. ESCOBEDO, 914 East 4th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of BEN LEWIS HESSLER, 4011 Avenue D, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of WOODROW M. EDE, Prather Hall, University of Texas, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion carried by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes: None

Absent: Councilman Glass

An appeal by Edward Don Boyd, colored, 1112 East 10th Street, on his application for a taxicab driver's permit, recommended for denial by the Chief of Police, was heard. After consideration of the facts in the case, it was moved by Councilman Thornberry that the said Edward Don Boyd, colored, be granted a 90-days probationary permit. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

Mayor Miller called up for its second reading, the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED, "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY RE-ENACTING ARTICLE V, SECTION 34 (a) and (b) OF SAID ORDINANCE RELATING TO ONE-WAY STREETS AND ADDING WEST 27TH STREET ONE-WAY WEST FROM GUADALUPE STREET TO NUECES STREET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the second time and Councilman Thornberry moved that the rule be suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The ordinance was then read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

Thereupon Mayor Miller announced that the ordinance had been finally passed.

A petition signed by E. O. Hohman, owner of Hohman Electric Service, 1106 East 1st Street, and other business firms on said street, asking that a traffic light be installed at the intersection of East 1st Street and Waller Street to relieve the traffic congestion in that block, was received.

The matter was referred to the City Manager for recommendation of the Police Department, and to advise Mr. Hohman, by letter, what can be done.

A letter from Frank Booth, Jr., Master Councilor, Stephen F. Austin Chapter, Order of De Molay, requesting that the City Council designate Thursday, December 12, as "Government Day" for the members of their Order to participate in the offices of city government in order to obtain practical experience in the administration of municipal government, was received. Mayor Miller moved that the request be granted, and the City Clerk be instructed to notify him, by letter, of the Council's action. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of STATE GRILL, 415 Congress Avenue, by J. M. Berry and E. G. Kingsberry, for a wine and beer permit, duly approved by the City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of PALACE CAFE, 915 Congress Avenue, by J. M. Berry and E. G. Kingsberry, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of JOHNS CAFE, 700 East 6th Street, by Anthony Daywood, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of LAS CUATRO MILPAS CAFE, 614 East 6th Street, by Elias Jurado, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass

The application of JOHNNIES PLACE, 510 Barton Springs Road, by Mrs. Ella Brewster, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and

Wolf

Noes : None

Absent: Councilman Glass

There being no further business, upon motion of Councilman Thornberry, the meeting was recessed at 11:45 A. M., subject to call of the Mayor, by the following vote:

Ayes : Councilman Bartholomew, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Absent: Councilman Glass.

Approved: Tom Miller.
MAYOR

Attest:

Helen M. Keenan

City Clerk